United States Court of Appeals for the Second Circuit



JOINT APPENDIX

76-7421

IN THE

United States Court of Appeals

For the Second Circuit

Docket No. 76-7421

ANTON PICINICH,

Plaintiff-Appellant,

against

CHRISTIAN HAALAND & BOISE-GRIFFIN STEAMSHIP COMPANY, INC.,

Defendants-Appellees.

SKIBS A/S SAMUEL BAKKE,

Defendant and Third-Party Plaintiff-Appellee,

against

JOHN W. McGRATH CORPORATION,

Third-Party Defendant-Appellee.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

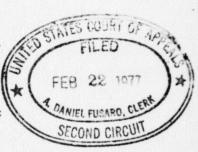
Supplemental
JOINT APPENDIX

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1 Ash - cross RDP T3pm 10-9 (In open court; jury present:) Anton Pic THE COURT: I understand that Mr. Friedman has some examples of things like turnbuckles. MR. KAIN: May we hold those for a moment, your Honor 5 MR. FRIEDMAN: We have a rather substantial piece 7 of equipment, which is a turnbuckle. MR. KAIN: May I finish this line before we get to 8 9 that? MR. FRIEDMAN: It is available to him. 10 THE COURT: Thank you very much. 11 MR. LEONARD: As long as we are talking about 12 availability, your Honor, I had my client bring a rather 13 weathered stacking plate. I apologize for its condition. THE COURT: We are coming along, so we will let 15 16 Mr. Kain continue. 17 BY MR. KAIN: (Continued) Q Now, Captain, before the break you told me that in stewing the bottom four containers, one of the purposes, 19 as I understood it, was to avoid metal-to-metal contact; is 20 21 that right? Not only that. That is not the exclusive purpose. 23 What is the other purpose? The other purpose is to make it absolutely horizon-24 tal to the perpendicular or the mast, so that it is level and 25

not slanted where it can slope offshore.

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Q Are there any other purposes that occur to you or any other reasons for dunnaging underneath the bottom four containers?

A Well, it gives more room or more opportunity for drainage. If she ships any water on deck, raising the cargo off the deck --

Q Referring to this container -- this corner casting, this being a bottom corner casting, right? Will you assume it is a bottom corner casting -- this is the floor of the container, the bottom of the container we are talking about.

A Yes.

Q So the corner casting would heave it up some distance; is that correct?

A That would heave it, but not total clearance.

Other than drainage, leveling and to prevent metalto-metal contact, do you know of any other reasons for dunnaging under the lower containers?

A Not offhand. Dunnaging, when you set your turnbuckles and your gear tight, acts as a cushion. It gives you a better surface when you sit tight on your turnbuckles.

Q Assuming also, Captain, that the testimony in this case is that there was dunnaging between the two layers, that is, the bottom four and upper four, that would prevent

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metal-to-metal contact between the corner castings on the upper ones and the corner castings on the lower ones; isn't that so?

There is no essential purpose there, because they A are designed for corner fittings which are of themselves metal.

I am just asking you, assuming no corner fittings, dunnaging between the upper and the lower, the dunnage under the corner castings and between the corner castings of the upper and lower would prevent metal-to-metal contact, wouldn't it?

A Yes; it would.

Assuming that after this dunnage was laid and lashings such as I have described to you were turnbuckled, I think you told me this morning they could exert a great deal of force when they are tightened down; is that correct?

Yes. A

Because you are keeping two-ton boxes, if you will, from shifting; right?

A Yes.

Now, would you not anticipate, Captain, that when you took up on these turnbuckles, these corner castings would dig into the wood, so to speak?

Yes. I said that: as a cushion. A

O And you also told me, just a minute before the break, that the metal-to-metal contact would permit the container to slide more easily than if there was during between the lower container and the deck, did you not?

A Only the two top containers.

Q I say, let's take the bottom one first. A container sitting on deck with dunnage under it is less likely to have movement, either laterally or fore and aft, if it's got dunnage between the casting of the container and the deck; isn't that so?

A No. This is more dependent on the securing.

It is less likely if you are using turnbuckl a to slide

with the dunnage than without it, because you have a cushion

there that you can set tight and dig in.

Q Are you telling me that the friction co-efficient are the same between metal-to metal and wood-to-metal?

A No. What I am telling you is, the dunnage is covering a much bigger surface to slide on than that little corner. That is what I am telling you.

Q I am just asking you: assuming this container,
Captain, is resting on the four corner castings, and referring
to the one now on deck, and assuming dunnage under the four
corner castings, my question is: isn't that container less
likely to move, based on your experience, than a container

where the metal corner casting is on the metal deck?

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A Yes.

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Q And the same thing is true, is it not, Captain,

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where you have dunnage between the bottom corner casting of an upper container, the second container, and the upper corner casting of the lower container, where you have the casting on the wooden dunnage, it is less likely to move than it would be if you had two corner castings metal to

A Yes.

metal? Tsn't that so?

Ω Now, Captain, it looks to me as though the reporter has removed one of my containers.

Will you assume that these are the two upper containers, the after ones of these four on the port side of Number 5. Do you follow me?

A Yes.

Q Using the rig we were describing, when you lift this container -- and will you assume this is the testimony -- when you lift this container so that it is clear, the bottom of this container is above the top of this container. Assume the testimony is that it is scraping against -- the one being lifted is scraping against the side of this one.

A Yes.

Q Using the rig we were describing to you, on its

 way up, and that when this container gets to a point where it is clear and above the level of the top of this container, suddenly this container moves a distance of four or five or six feet inboard, towards the hatch, occupying at least in part a portion of the space formerly occupied by this container -- do you follow me?

A Yes. I follow you.

Q Could you tell me, Captain, based on the rig which has been described to you, what force, in your opinion, would cause this outboard container to suddenly move inboard a distance of five or six feet?

A Well, there are, as I stated before, many imponderables that could have caused it. One is the draft of the ship. If the stern of the vessel is deeper than the bow, you already have an angle that can start a slide as soon as it gets a bump.

Also, if you have durinage piled underneath --

Q Will you stop for a moment, please.

MR. FRIEDMAN: I object to any stopping, your Honor.

THE COURT: Yes. Let's let him list all of the factors and complete his answers.

A If you have dunnage to build up one side, and it is just a little higher on the inboard side, and you get a

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Ash - cross

movement, that is where it will slide, inboard rather than outboard.

Q Let me see if I understand --

MR. FRIEDMAN: Your Honor, he is not through.

THE COURT: I'll tell you: we will all take notes and get his list, but I think he ought to complete his answer.

MR. KAIN: I thought he had on this second occasion, your Honor.

A -- that if the dunnage is built up on the side to offset the camber, and you have a little higher inboard, a movement will jar, and it will move in that direction.

Now, there are other factors that happen, very seldom observed, because a ship is not a stable platform. There are tiny, little movements that are always going on, even if the engine is pumping fuel from one tank to another, if they are taking water on from the fresh water line on the deck, a ship going by could create a small ripple. Any number of small things could cause movement on a ship, which is not a stable thing.

If this thing had started to move one way, two tons, it can continue to slide.

So I see nothing unusual in the fact that when one container was moved away, the other one started to slide

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into its position. 2

> Q Now, let me ask you, Captain -- are you through now?

Yes.

The first alternative you suggested had to do with the draft of the ship. What was that, sir?

The draft of the ship, as I remember reading it --

Q I mean, the theory that you said would be affected by the draft of the ship.

A That it would be lower by the rear end or the after end of the container than it would be in the fore. So we already have a slant.

Now, if it got hit on the forward end, then the after end would slide down in that direction.

Q Will you assume with me, Captain, that there is absolutely no testimony in this case that this container was hit on the forward end?

A I did not say that. I said it could be brushed on th side. Who knows when the one that's picking up, where it bumps.

Q Well --

THE COURT: We will have to let one person speak at a time.

Let him finish.

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A When you pick it up and it starts to swing a little bit, who is going to know whether the front is going to hig first or whether the back end or whether it is going to hit broadside? That's an imponderable.

Captain, maybe you did not understand my original question.

I told you to assume, because it is the testimony in this case, that these two containers were side by side, that the inboard one was raised slowly, scraping occasionally against the outboard container, and that there was no movement of the outboard container until the inboard container was raised above the level of the top of the outboard container, when suddenly, after it was cleared, no movement until after this one is above it, suddenly and with no warning, the outboard container was precipitated violently four to six feet inboard in that direction.

My question to you is, based on your experience, assuming that set of facts, what could have, in your opinion, caused this sudden movement of the outboard container in an inboard direction?

MR. FRIEDMAN: That is exactly the question he just answered with three or four answers. Do we have to have a repetition of that whole answer? If Mr. Kain really wants him to repeat it, he may. I have no objection.

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MR. KAIN: I did not ask the Captain, and the reason I repeated it is because he was talking about a blow to the forward end of the container that might move it aft.

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That is not what I asked him to assume.

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THE COURT: I don't want to again play on words.
As I understand his testimony, the witness is considering

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the fact or the assumptions which Mr. Kain just gave him.

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(To the witness:) Is that right?

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THE ! TNESS: Yes.

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THE COURT: You were considering those very same

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assumptions in the identical question basically that he

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THE WITNESS: Yes.

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THE COURT: And your answer was based on that

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question; right? .

asked you before?

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THE WITNESS: Yes.

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THE COURT: I don't see that we have to repeat.

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MR. KAIN: May I ask your Honor to ask the witness

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if he is assuming only the facts I gave him with respect to

the movement of these two containers, in his opinion?

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THE WITNESS: Well, the container that is being

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picked up is horizontal. It is not hanging down on one end or up on the other. But the container that it is against is

lower on one end, the after end, because of the trim of the ship, and as it gets up it could have nudged the forward top end and swung the other end in.

There are many imponderables, as I have said.

() Look at the print in front of you, which is

Defendant's Exhibit C in evidence. Does that print indicate
to you the length of that ship?

A It is on here somewhere. It should be on here, somewhere.

To save you the time, Captain, will you assume, for the purposes of my question, that the Concordia Viking has a length of 495 feet?

A Yes.

Q Will you assume further, Captain, the arrival draft -- and will you tell the ladies and gentlemen of the jury and his Honor what the arrival draft is?

The arrival draft is the first draft that is taken when the ship is alongside the dock, when it arrives. One of the first things one of the officers does is go down on the dock and walk up to the bow and read the draft marks of how deep it is in the water, walk aft, come up and enter into the logbook the forward draft, the after draft and the mean draft, and that means the depth it is in the water.

That is the arrival draft when it first arrives at 190%

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and ran it to the stern, there would be about -- it would be about a foot and a half lower on the stern; is that correct?

Right; yes. A

Now, bearing in mind, Captain, that we are talking about a two-ton container dunnaged between, would this approximately foot and a half distance from the entire length of 495 feet of the ship -- would this, in your opinion, based on your experience, this slight angle down towards the stern, be sufficien to cause a two-ton container to move suddenly inboard?

Not by itself, not alone. It would be one of the contributing factors.

In what respect would it be one of the contributing factors?

A It's already an inclination aft. Somebody or something gives it a nudge, and it will move in that direction.

Q Is it possible for you, based on your experience, to estimate for me the distance, feet, inches, whatever you want to use, between the forward end of this container and the after end? Do you understand what I mean?

I understand what you mean. It would be very small. At most, a couple of inches. I don't think it would be any more. But it would definitely be lower.

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Q And you mentioned some other explanations which you thought might cause the container to move inboard.

Would you give me some of the others you mentioned, Captain?

A Yes. I said a temporary list, which could be created by the engineers taking water on the starboard side or transferring fuel from a port tank to the starboard tank or shifting to the starboard settler in the engine room, if she is that kind of a ship. I don't know whether she was motor or what.

But there are -- they are transferring liquids very often from time to time. They want to get to clean one tank and transfer it over to the other.

A passing ship, even a tugboat mooring a barge, can create enough turbulence in the water to make it just temporarily move slightly and then come back.

It's not a stable thing. This is what I have tried to say, that we have a conglomeration of effects which could result in the sudden short movement.

Q Let's take your first alternative. Based on your experience on merchant vessels, I think you mentioned you were on a USMS merchant ship, maybe a naval ship, so I am not talking about a situation where you have counterflooding pumps, things of this sort. Is the transfer of liquids in the engine room, the double-bottom tanks or any other tanks

on the ship, is that a very gradual process, or do you transfer it like that, from one tank to another?

- Λ Very gradual.
- Ω It takes a considerable period of time, does it not?
 - A That's right.
- Q And that would mean that in the space of time we are talking about, isn't it true there would be very little likelihood any shifting of liquids would suddenly cause these things to move sufficiently?

A It might not of itself do it, but all of these factors contribute to a movement. Transferring fuel from the port side to the starboard side, the engineer could be busy, and all of a sudden he notices on his inclinometer she is moving to one side, and he quickly stops it, but she has moved a little, maybe only a half degree, a quarter degree, but she has moved, and so he changes it.

Q Any substantial list or any list on a ship more than a couple of degrees would be immediately apparent to longshoremen working aboard it, would it not?

A It would have to be quite a list for them to refuse to work, which they will do if there is too much of a list. It is unsafe to walk. Two or three degrees would not --

case of a list. Now, you mentioned, I think you said, a passing ship.

by deadweight tons?

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A Yes.

Q Will you assume with me that the Concordia Viking is a ship of 12,000 deadweight tons. Would you tell his Honor and the ladies and gentlemen of the jury what is meant

Assume as of now there is no testimony in this

A Deadweight really means its carrying capacity, that it could carry 12,000 tons of cargo. Its displacement tonnage is its deadweight plus its own weight. If the ship weighs 4,000 tons by itself and you can rut 12,000 tons of dead weight in it, that's its carrying capacity, you have a 16,000-ton displacement.

I hope I have explained it.

Q Captain, will you further assume with me that
Pier B, Hoboken, was the first point of discharge for this
vessel in the Continental United States and that, therefore,
when she came alongside at Pier B, Hoboken, she was fully
laden insofar as what cargo she brought in is concerned. In
other words, no cargo loaded on the side or before the transAtlantic voyage had been discharged when she arrived at
Hoboken.

Will you assume that?

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Isn't it true, Captain, that a passing tug or any

wake from another ship would cause very little movement,

could be expected to cause very little movement in the

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Concordia Viking?

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Q And such movement as there might be would be very

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gradual, wouldn't it, Captain?

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I would say that it would be very little, but it would be noticeable.

No, no. A tug, a good, deep-draft tug coming in with a barge into the other side of the slip and going astern would push water up against the ship, and it would be felt that quick.

There is another great characteristic in that area. In Hoboken, you can't hold up the North River. When the tide changes, it's very slack for a while, and your ship just lays dead. Then, when the tide turns and goes the other way, it will move you right up against the dock.

Q When it moves you up to the dock or away from the dock, that is a very gradual process, isn't it, Captain?

Well, not necessarily. Could happen within a few minutes.

And when it moves alongside the dock or away from the dock, in response to the tides, she does not rock, does she?

A Yes. If it takes a strain on your mooring lines... If it's away from the dock and there is a strain on your mooring lines, you will tip a little in that direction, and

you will come back again.

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There are always continuous small movements affecting the vessel's stability, none of them broad, none of them extreme, but enough to make movement of something when you least expect it. It's not a stable platform.

Q Let's take it on the alternative which I understood you to mention, Captain. You were talking about a list or a tilt on the ship. Now, assume with me that there is no such testimony in this case, but let me ask you this: if this ship had been discharging, using both the ship's booms instead of a house fall, and if you had a very heavy object hanging from the boom, the starboard boom, over the side, it might have some effect, if it were sufficiently heavy, if it weighed forty or fifty tons, more or less, or if in any event it were sufficiently heavy, it might cause a slight list towards the pier; isn't that so?

A It would -- could.

Q But in using a house fall, if I took a forty-foot fully laden container, assuming I were able to do so, and suspended it over the pier, it would have no effect on the ship at all, would it?

A I disagree. I disagree.

Q Wouldn't the strain be on the house fall?

A Well, sure, but you got the weight in that

direction. It's still attached to your other boom.

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I asked you to assume it was over the stringpiece of the pier, on the pier, not any point of the ship. When it is hanging over the pier, there is no weight on the ship. The weight is on the house fall, isn't it?

No. There is some weight on the ship, because the winch fall, the cargo runner from your port boom, is still holding part of it in suspension. There is probably double the strain on the house fall than there is on the other, but it is still weight.

- Only double, Captain?
- It could be triple.
- Going back to the situation we were talking about here, you told us the port boom, the only boom in use, with a four-legged bridle, was over this one, or plumb with this one, in any event. When this one is raised to the eight feet I was describing before, is the entire weight on the boom? There is no weight on the house fall, is there?

No. If it is straight up and down all the weight is on that port boom.

And assuming that we did not raise it this far, that we just lifted it enough to clear, which you said would have been the proper way to do it, if we just moved it here and started it across the deck, when it reaches a point, say

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Ash - cross

six feet inboard from there, the weight is on both falls, isn't it?

A Yes.

Q Eut the weight on the house fall, what would normally be the starboard fall if you use two booms, is on the block that is the house fall, isn't it?

A That's true.

Q So there is no weight on the starboard boom because it's on the house fall, isn't it?

A No, Mr. Counsel. The weight on each side is dependent on the angle of the falls.

Now, if the angle is equal, then the strain on each fall is the same. Now, when it gets narrower, the weight and strain on the fall which is nearer the horizontal becomes greater until it gets over far enough that most of the strain is on the house fall or the boom on that side.

What determines the strain, the resolution of forces, is which angle is greater. As long as the angles are nearly equal, then they both have an equal strain.

Q I am glad you brought this up, Captain. If we are talking about -- I take it you were talking about the internal runner angles between the two falls.

A Isn't that what you asked me? You said when it is moved over the strain is on both falls, and I said yes.

2 O That is what I asked you, and that is the answer 3 I expected.

Now, let's go back for a moment to the situation where we were talking about before, there, where it is twenty-eight or twenty-nine feet above the deck, the cargo hook. With the booms depicted there and the house fall, what would be the internal runner angle?

A I could not answer that question. I cannot conceive of the draft being twenty-eight feet up in the air.

There is absolutely no reason. It is dangerous, and I am not going to do mathematical gymnastics to try to figure it out. There is no reason why the bottom of that container should be twenty-eight feet above the deck.

THE COURT: I sent up to the Court of Appeals
library in frustration and got a picture of a Burton rig and
a house fall rig. This must have been put out during the
war, because we've got ammunition ships and aircraft
carriers here.

MR. KAIN: May I point out to your Honor that is a textbook at the U. S. Naval Academy, and it certainly does have nothing to do with merchant service.

THE COURT: I must say I understand, at least in a rudimentary way, what you are talking about now. I am certain I wouldn't have, otherwise.

MR. KAIN: I am hopeful I will be able to say to your Honor when I am through that you understand it.

THE COURT: I think you will get some points, but you won't get others. You wouldn't even consider using this, I take it.

MR. KAIN: I would rather not, your Honor. I think
I have better sources than that, including a blackboard,
which I will use when I have the opportunity.

Q The situation we were talking about before, where the boom is directly over the container which is being raised, as long as you are under the boom, assuming you are not blocking your falls, you can come up without any danger to anybody, can't you?

A This is not the way cargo is worked. You are giving me a theory I can't give you the answer to.

Q I am not asking you to assume that it was brought up and then brought across the deck. I am just asking you to assume that it is raised to the height we are talking about.

The booms on there are sixty and some-odd feet long; right?

A Yes.

Ω The heel of that boom is stepped about twelve or sixteen feet above the deck level?

Q Now, have I covered all of the components, if I may use that word, which you think may or might have an effect in causing an outboard container to move suddenly inboard?

A At the present moment, I can't think of anything.

I may when I walk out of here.

Q All right, sir.

Now, will you assume with me, Captain, that none of the components which you have talked about have been testified to in this case at all. In the absence of the --

MR. FRIEDMAN: I must object to that. In the first place, the North River, without it being testified to, had a tide yesterday, today and tomorrow. In the second place, tugboat operations in the North River -- the Court has to take judicial notice of the constancy of it. The operation of the vessel is under way.

All of these things are part and parcel, aside from

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who has the burden of proof, which I will leave to the Court's charge, of showing any of this.

MR. KAIN: I think that speech is unnecessary. The testimony -- and I stand by what I say, and the record will bear me out -- nobody has testified to any movements of ships, barges, lighters, tugs or anything else moving alongside.

There is no testimony there was any change or list in the ship or any transference of the ship's fuel or boiler water. There is nothing about that in this case, at least to date. There is no such testimony.

I would like to pursue my question.

THE COURT: What you have: you certainly have the fact there was a ship sitting in water at a pier. Undoubtedly you will have the facts in about the draft.

Now, it is certainly true that aside from -- you have testimony by one witness that the water was calm at the time of the accident. So I think Mr. Friedman is right to the extent that you have a vessel which is sitting in water, and that is in evidence, and the jury can draw inferences of what a ship of this size would be doing in water, which is different from sitting on Park Avenue or something like that.

But it is equally true that we have testimony, and the only testimony on the condition of the water is that it

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Ash - cross

was calm. We have no testimony about there being a tug
moving, much less a tug moving in with a barge in an adjacent
pier.

We have no testimony about any pumping operations. We have no testimony about a passing ship.

MR. KAIN: We have no testimony on the tides, if your Honor please.

THE COURT: I think it is good to just recapitulate at this point what is in the record, and you go ahead with your questions, Mr. Kain.

BY MR. KAIN: (Continued)

Assuming that there is no testimony, Captain, in this record of any of these conditions which you have previously alluded to, that is, changes of tide, movements of ships, lists, transfer of liquid or fuels aboard the ship, no testimony at all. Is it a fair statement that in the absence of any of those condition you would have no explanation for why this container would suddenly move inboard a distance of four to six feet?

A Nothing beyond what I have stated. I would have no explanation for it, other than what I have stated.

MR. KAIN: May I just have a moment?

THE COURT: Yes.

(Pause.)

Q I wanted to ask you: you said in your opinion the port boom, which is the only boom which was in this particular rigging we are talking about, should be centered so that it would be plumb, if I understood you correctly, come down at least approximately in the middle of the container being hoisted; is that right?

A Yes.

Q Now, would you envisage that good stevedoring practice would require during the discharge of the remaining seven containers in this area that on each occasion this boom, the port boom, should be respotted or removed so that on each occasion it would plumb the container which was being lifted?

A Well, as long as it was working on the same row, then It would be spotted.

Now, to get to it on the containers, they might have to open it up a little.

Q For the moment, let's just consider the two after ones, the inboard and the outboard one, this being the inboard (indicating), and this being the outboard.

You told us that it should plumb this one when this one was hoisted; is that correct?

A Center, yes.

Q You wanted to hoist this one. Should the head of

Assuming, Captain, we have a Burton rig, boom over

the pier, boom over the hatch, somewhere on deck, either .

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over the hatch coaming, center of the hatch, some place. I were to pass a plane between the end of the boom on the dock to the end of the boom on the ship --

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That would be the plane of the fall.

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That would be the plane of the falls?

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A Yes.

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And you are familiar with that term? 0

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I have seldom heard it. A

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You understand what I mean by that? 0

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A Yes.

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Will you assume, Captain, the testimony in this case is that on these four containers, if these are the two outboard uppercontainers, when the after one, the one inboard was raised from here, Mr. Picinich testified that he stepped from the top of this one before it was raised onto the adjacent one outboard.

A That was not my understanding. He was on there, but he was on there before it was raised.

Q. Listen to me. I ask you to assume the facts as I give them to you. Mr. Picinich, will you assume, testified that after the after inboard container was hooked up, that before this one was raised, he moved, as soon as they had taken a strain, stepped from the inboard container over to the outboard container.

A Correct.

Q He also testified -- and will you assume he testified, at least -- that his partner, the man working with him,
stepped from the same container which was being raised to the
container forward of the one he stepped on. Do you follow
what I am saying?

A Yes. He was already near it, because he had hooked in the forward two hooks.

On In any discharging operation such as this, and in the situation I described to you, stepping to the container which Mr. Picinich stepped to is remaining within the plane of the falls, isn't it?

A Yes and no. Where he is standing, and, as I understand it, he was taking off lashings that were left on the container. He was taking them off. And the plane of the fall -- ne wouldn't be in that area if the head of the boom was away from him.

Q Let me ask you: assuming the facts I have just given you, his partner stepped to this one, and he stepped to this one (indicating) --

THE COURT: You are saying or assuming the partner stepped to the one just forward --

MR. KAIN: Just forward of the container to which Mr. Picinich stepped.

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THE COURT: I don't get the plane of the falls

business, so if you are going to ask whether he is in the

plane of the falls, I don't know what that is going to mean.

What does it mean, Captain?

THE WITNESS: You have the head of the boom, and

the wire runs through that when it picks up the load. Then you have the other one at the cargo. Now, if you passed a plane through the both of them --

THE COURT: Vertical plane?

THE WITNESS: Yes. A vertical plane, all the way through it. It would mean, it would be the angle at which the cargo would travel from one block to the other on that plane.

THE COURT: In other words, the points in that plane are the head of the boom and --

THE WITNESS: And at the head of the house.

THE COURT: Then that third point is where the two lines come together?

THE WITNESS: Where they are married, yes.

THE COURT: And pick up the cargo?

THE WITNESS: Yes.

THE COURT: All right. I'm with you.

Q Let me ask you this, Captain: assuming that plaintiff and his partner did what he described to you, was

The next operation that he is going to be called on to do is to hook on the next one. However, the plaintiff was on the after end, the extreme other end, twenty feet away from him, and I wouldn't expect him to walk up the twenty

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what did you assume the movements of Mr. Picinich and his

partner were?

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THE WITNESS: We have a container here and a container here. We have one here and one here (indicating).

Now, what they had done was to hook on this fourlegged bridle, first put the hook on one side and then put the hook on the other.

THE COURT: You assumed what: that Mr. Picinich was at the back of that or the front?

THE WITNESS: I assumed he was at the after end.

THE COURT: And his partner at the forward end?

THE WITNESS: Yes; where he could just step on the next onc.

THE COURT: What do you assume they did after they got the four-legged bridle all hooked up?

THE WITNESS: That Mr. Picinich was stooping to pick up and remove the lashing that was still there.

THE COURT: At what point?

THE WITNESS: While the thing was in motion.

THE COURT: At che point on what container?

THE WITNESS: On the after container, which was near the water's edge. He is on the after container. They have already taken away the one --

THE COURT: Please --

THE WITNESS: May I show you with four books,

- 11	
1	RDP 35 Ash - cross
2	perhaps?
3	THE COURT: You went through it very nicely. After
4	they have the four-legged bridle and you told us about
5	what you assume they did there, where were you assuming Mr.
6	Picinich walked after he got through with Container Number 1,
7	let's call it?
8	THE WITNESS: Right over to Container Number 2,
9	the same end.
10	THE COURT: The outboard?
11	THE WITNESS: Yes.
12	THE COURT: And you assume he went to the after end
13	of that?
14	THE WITNESS: I assume he was at the after end,
15	because the other
16	THE COURT: Wait a minute.
17	You assume he went to the after end of Container
18	Number 2?
19	THE WITNESS: Yes.
20	THE COURT: And was working on a lashing there?
21	THE WITNESS: Yes.
22	THE COURT: What do you assume his partner did?
23	THE WITNESS: He was on the other end
24	THE COURT: The forward end?
25	THE WITNESS: He was on the forward end and stepped

1 RDP 36

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Ash - cross

off onto the container.

THE COURT: Wait a minute. You are assuming he was on the forward end of Container Number 1; right?

THE WITNESS: Yes.

THE COURT: And had put the bridle on there; right?

THE WITNESS: Yes.

THE COURT: What do you assume he did?

THE WITNESS: He stepped over on the same container that Picinich was on and then stepped forward off that container on to the one that was still --

THE COURT: The forward outboard?

THE WITNESS: Yes.

THE COURT: We will call it Number 3.

THE WITNESS: Yes.

THE COURT: At least we understand what you assume.

Go ahead, Mr. Kain.

BY MR. KAIN: (Continuing)

Q Just about two more questions, Captain. Will you assume further from what you have assumed that Mr. Picinich has testified that a piece of wire -- there was only one wire lashing on the outboard container, and it was at the forward end, outboard of the container -- a piece of wire he was working on at the precise time of the accident. Will you assume that?

A Yes.

where in the vicinity of the forward end of the outboard container. The question I want to ask you: in your opinion, based on your experience, would it be preferable, or would it have been preferable to Mr. Picinich to have moved to the container forward of the container he was standing on, or would it have made no difference, or was he better off where he was?

MR. FRIEDMAN: I have to object.

THE COURT: I will overrule the objection.

A Well, if he wasn't working on the lashing, he would have been safer he he was off that container.

MR. KAIN: No further questions.

THE WITNESS: He should not have been up there.

THE COURT: Mr. Leonard, do you have anything?

MR. LEONARD: Yes, your Honor.

BY MR. LEONARD:

Q Captain Ash, when were you retained as a consultant by Mr. Heller in connection with this case?

A Oh, several months ago.

Q Have you had a discussion with Mr. Heller about your testimony, your prospective testimony in this case?

A Yes; of course.

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point.

MR. LEONARD: Your Honor, I have a right to inquire

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into the credibility of this witness, and any of his initial 2 conferences with Mr. Heller and the assumptions which were 3 given to him are meaningful to me. 4

THE COURT: We are interested in his testimony in court, which is the initial focus of our attention, isn't it?

- Has your testimony today in court been premised upon an assumption that there was a bumping or a striking of one container against another?
- A Only partly.
- Would you explain what "only partly" means in that contest? Do you assume there was a bumping or striking or not?
- There was a contact. I don't say that it gave A a swing into it or whether it just tipped it. But the movement of the container being removed straight up, it's almost a physical impossibility to avoid touching.

Now, when a two-ton object --

THE COURT: Please. You have explained a number of times that you assume what was testified to, that there was a scraping of the two containers while the other went up. That word "scraping" has been used by the witness and by you.

THE WITNESS: That's right, sir.

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THE COURT: Now, let's start from there.

Q Have you assumed that a scraping was in effect be tween the two? Did you assume that to be the fact?

I said it was possible.

Q Did Mr. Heller ever tell you that Mr. Picinich testified in an EBT on November 20, 1973 as follows: --

MR. LEONARD: Page 37, line 24.

Q (Continuing) "Q The first container that was being removed: did that container strike or push into the container that you were standing on?

"A No."

Did Mr. Heller tell you that Mr. Picinich had given that testimo v?

I don't recall.

Q If you assumed that this testimony is true, are you prepared to retreat from your assumption that there was a bumping or striking of containers?

A No.

Assuming that there were twelve containers in the vicinity of Number 5 hatch on the Concordia Viking, eight on the offshore side, four on the inshore side, what if any opinion do you have as to the length of time that it would require to remove those containers as they were stowed, in actuality?

A You mean the ones on the inshore side, the four?

Twelve container, eight on the offshore side, four on the inshore side.

A In the first place, I don't know the weight of the loaded container.

Q What loaded container?

A I have been given to understand that of the twelve containers one was loaded and eleven were empty. Is that wrong?

O Thank you, Captain Ash. Assume that seven containers on the offshore side and four containers on the inshore side were to be removed. What in your opinion would the length of time be required to remove those eleven containers?

rigged. I know it could take ten, fifteen minutes to rig
the house fall. If they started at eight o'clock, I would
say it would take fifteen minutes to rig the house fall, approximately. Also, that they were getting the bridle ready,
and they were removing the loose lastings. From there, I con't
know whether it was on both sides or one side. But the
manner of also how they were being removed from the ship side:
was it landed on a chassis of a truck that just whisked it
away? Was it landed on a truck that had to have a jitney
pull it in the warehouse? Was it landed on a railroad car?

Picinich v. Christian		
Haaland, et J. Griesa	al _	rdse 1 Vangness - direct
Excerpts:	2	EDWIN VANGNESS, resumes.
Vangness	3	CONTINUED DIRECT EXAMINATION
St_mation	4	BY MR. KAIN:
	5	Q Now, Captain, will you look at your log book,
	6	which is Defendants' Exhibit L in evidence, and refer to it
	7	if necessary.
	8	Will you tell me, Captain, when the Concordia
	9	Viking came alongside Pier B, and I think you said that was
	10	sometime on the morning of July 11 at 8 o'clock or there-
	11	abouts, was there a list on that ship?
	12	A No.
	13	Q And will you tell me, Captain, on July 12, 1971,
	14	at the time this accident was reported to you, was there a
	15	list on the Concordia Viking?
	16	A Not that I can recall.
	17	
	18	you have daried
•	19	on quite a few different types of ships, have you not?
•	20	A That's right.
	21	O Have you ever sailed on a container ship?
	22	A Yes, I have.
<u>O</u>	23	Q And during what period of time were you employed
	24	aboard a container ship?
		A From June 1973 till December 1974.
	25	Q What job did you have aboard this container
		- 1037

- 11	NG 보통 보다 보고 있다. 그는 사람들은 마리를 하면 하면 가장이 되었다. 아이들은 사람들은 사람들은 사람들은 사람들은 사람들이 되었다. 사람들이 없는 사람들이 없는데 없는데 사람들이 없는데 다른데
1	rdse 2 Vangness - direct
2	ship?
3	A I was the master of that vessel.
4	Q That's the captain of the vessel?
5	A Yes.
6	Q And this ship that you sailed on board, Captain,
7	did this ship let me rephrase the question. How many
8	containers did this ship carry?
9	A 364.
10	Q Of what size containers?
11	A 20 by 8 feet.
12	Q 20 by 8?
13	A Yes, that's right.
14	Q Was she also equipped to carry 40 foot con-
15	tainers?
16	A Yes, as well.
17	Q That would be 40 by 8 by 8 containers?
18	A Yes.
19	Q And can I assume that depending on the number of
20	40 foot cr iners which your ship carried, you could carry
21	a lesser amount than this 364 of the 20 foot containers
22	because they would occupy more space; isn't that so?
23	A Yes.
24	Q This particular container ship that you were
25	on, Captain, was she fitted with stacking plates in the
	103 8

- 11	
1	rdse 3 Vangness - direct
2	spaces where you carried those containers?
3	A Yes, she was.
4	Q And were there on the stacking plates places
5	between the containers when you put them in the ship?
6	A Between every one.
7	Q And can I ask you, Captain, how high were these
8	containers on that type of ship that you commanded
9	as master?
10	A In the hold we stored them five high.
11	Q With stacking plates between them?
12	A Yes.
13	Q Did you have any other types of fittings between
14	the stacks of containers on this ship?
15	"A We had securings, lashings.
16	MR. FRIEDMAN: What ship is this we are talking
17	about?
18	THE COURT: What's the name of the ship?
19	THE WITNESS: Anne Reed.
20	Q You had some type of bridge work or arrangement
21	between the various stacks of containers? Did you have on
22	this ship some kind of bridge or bar between the various
23	stacks?
24	A We had bridge fittings on top of the containers
25	O And on this particular ship did you also have

rdse 5

Vangness - direct

for carrying containers, the fact they did it only once or they were only carrying containers once and it was therefore uneconomical or anything else is not really relevant.

THE COURT: His answer indicated it was not the only time. I think the proof will be they carried these things --

MR. FRIEDMAN: I was expecting a negative answer.

I misunderstood

THE COURT: All right.

(In open court.)

O During the period of time you were employed as chief officer of the Concordia Viking, did you carry containers on other occasions aboard this ship, other voyages?

A Oh, yes.

Ω And on those occasions, did you secure the containers you carried on deck in the same fashion which you previously described to us?

A Yes.

Now, Captain, based on your experience as a ship's officer in the carriage of various types of cargo, including containers, in your opinion was the manner in which these containers were secured on deck, which you previously described, a proper and seamanlike way to secure

1	rdse 6 Vangness - direct
2	these containers aboard ship?
3	A Yes, I do.
4	Q Now, Captain, I just have one or two more ques-
5	tions.
6	Did you come to New York to testify at this
7	trial at my request?
8	A What?
9	Q Did you come to New York to testify at this
10	trial at my request?
11	A I came to New York to testify by the request
12	of the owner of the ship.
13	Q The owners of the Concordia Viking?
14	A That's right.
15	Q Could you tell me when you arrived in New York,
16	Captain? When did you arrive in New York?
17	A I arrived
18	Q When did you come into New York just before
19	today? When did you get here?
20	A I came here on the 4th.
21	Q Of October?
22	A Of October.
23	Q And where did you come from, Captain?
24	A Athens.
25	Q Did you get off a ship in order to come here,

1	rdse 7 Vangness - direct
2	Captain?
3	A Yes, I did.
4	Q And are your expenses being paid while you are
5	here, Captain?
6	A Yes, they will be.
7	MR. KAIN: I have no further questions of this
8	witness.
9	THE COURT: Mr. Leonard.
10	MR. LEONARD: Just two questions.
11	CROSS EXAMINATION
12	BY MR. LEONARD:
13	Q Do I understand you are not now employed by the
14	defendant ship owner in this case?
15	A No, I am not.
16	Q When was the last time that you worked for the
17	defendant ship owner in this case?
18	A When I left the Concordia Viking December '71.
19	MR. LEONARD: No further questions.
20	THE COURT: Can we start your cross, Mr. Fried-
21	man?
22	MR. FRIEDMAN: Anything your Honor wants me to
23	do.
24	(Pause.)
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SOUTHERN DISTRICT COURT REPORTERS, U.S. COURTHOUSE

year, did you? You signed articles or contract of employ-

When you joined the ship you joined it for a

1	rdse 9 Vangness - cross
2	ment for one year?
3	A No.
4	Q What did you do?
5	A For one month.
6	Q And then what happened?
7	A Nothing else.
8	Q The rest of the time you worked without a con-
9	tract? I'm just not clear.
10	A I signed on the ship on one month's notice.
11	Q You mean you were free to leave on a month's
12	notice?
13	A I was, yes.
14	Q Now, how long you would stay was open?
15	A It was open, yes.
16	Q You stayed less than one year. Now, my ques-
17	tion is, have you worked for other Norwegian ship owners
18	since then?
19	A All the time.
20	Q And the owner for whom or who owns the ship you
21	are now employed on is also a Norwegian shipowner?
22	A That's right.
23	Q Did you ever serve as the captain of the Con-
24	cordia Viking?
25	A Never.

SOUTHERN DISTRICT COURT REPORTERS. U.S. COURTHOUSE

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Yes.

MR. LEONARD: Your Honor, Mr. Friedman persists

1	rdse 15 Vangness - cross
2	A That's right.
3	Q You know that the captain of the ship had given
4	a deposition, he had given his testimony taken down some-
5	time before?
6	A I have been told so.
7	Q But you made no review at all of what the cap-
8	tain had to say about this; is that your testimony?
9	A That's right.
10	Q Did you discuss what your testimony would be
11	with the lawyers who represent the shipowner here in New
12	York?
13	A Yes.
14	Q On how many occasions?
15	A Oh, several occasions.
16	Q Have you gone out to lunch with them during the
17	course of this trial?
18	A I have been out for dinner.
19	Q For dinner. Have you spent a number, consideral
20	number of hours in the company of one or more of the lawyers
21	or representatives of the shipowner since you have been in
22	New York?
23	A I couldn't say how many hours altogether but I
24	would say something like four or five.

And have you discussed the testimony and issues

1 rdse 16 Vangness - cross 2 in this case with them before you took the witness stand? 3 Yes. Now, am I correct -- by the way, were you 5 shown any of the reports of accident that were made out by 6 the stevedoring company or its personnel that were handling 7 the discharging work on the Concordia Viking on July 12, 8 1971? 9 No. 10 We are in agreement, sir, that you did not see 11 this accident at all; correct? 12 A I did not see it. 13 Q And that you learned or such information as 14 was given to you was that nobody else in the ship's crew, 15 officer or unlicensed personnel, witnessed the happening 16 of this accident; correct? 17 A That's right. 18 Q So the only people who apparently witnessed 19 the happening of this accident were indeed Stevedoring 20 Corporation personnel? 21 The longshoremen. 22 Did you ask yourself before you testified in this 23 case to see the reports that had been filed by the stevedor-24 ing corporation personnel with respect to the happening of 25 this accident?

rdse 18 Vangness - cross documents you looked at?

A That's right.

ments that describes, that specifies that the place from which the deck lashings were applied as to the containers that were taken on in Saudi Arabia was the top of the second tier of the cargo containers as against from the bottom of the second tier or the top of the first tier or any other location; is there any written record or entry in either of those two documents?

A No.

Q So am I correct that your testimony here today that that was the particular detail of lashing is a matter of memory on your part?

A It is a matter of usual routine when we are lashing containers. We never use any way else.

Q Am I then correct, and I will ask you to look at Exhibit 5 --

MR. KAIN: Is that Plaintiffs' Exhibit 5?
MR. LEONARD: Yes.

O The one entitled "Container Securing Systems."

You see that there are two locations where the arrows, black ink arrows have been drawn to two tier arrangements. I am correct, am I not, that you are testi-

fying, at least from your memory as to the procedure followed, that the procedure that was followed on the Concordia Viking was not the procedure shown on this sheet of paper? It was something different?

A Yes, because the Concordia Viking is not a container ship, of which this is a drawing.

Q Now, whether the ship is a container ship or not, and I anticipate being balled out by the Judge again, can we agree, sir, that 20 by 8 foot by 8 foot containers piled one on top of the other on the deck represent or involve the same principles of stability and physics and force, whether that ship happens to be called a container ship or happens to be called a non-container ship, can we agree on that?

A When it comes to stability and such, yes.

THE COURT: I think we will have to recess. I have another hearing.

We will recess until 10 o'clock tomorrow.

(Adjourned to 10 a.m., October 16, 1975.)

Summation Mr. Leonard

rdse 1

MR. LEONARD: May it please the Court, Mr. Foreman, ladies and gentlemen of the jury:

The Court has indicated and counsel has agreed, we will be restricted on each side to an hour each, that is an hour total to the defense --

THE COURT: Please.

MR. LEONARD: I have very little time and I will make whatever use I can of that very little time I have left to mention a couple of points which haven't been mentioned to you before.

I think it is important, though, as to what

Mr. Kain just said that the defense does not have any

further opportunity to speak to you. This trial started with

Mr. Heller trying the liability aspects, Mr. Friedman trying

the medical aspects. That changed later on. The point is

that Mr. Heller's client was represented, as far as the

medical aspects of this case in this trial, by Mr. Friedman.

Why did Mr. Heller hire Mr. Friedman? Because of his skill, because of his articulateness, because of his ability to convince jurys of the compensation value of a case, to extract money from jurys. There is nothing shameful in that. The fact that he is skillful is to his credit. But it would be to your discredit if you permitted the skill of an advocate in summing up, with no opportunity

rdse 2

for rebuttal, to substitute for your recollection of the evidence, and indeed what the evidence actually is.

Now, all through this case the things that have, in my opinion, been most important have been the things that didn't happen. Back in August '71 Mr. Picinich had a lawyer. Mr. Picinich's lawyer brought him to Dr. Matlas, and it was in that month, August 1971, a month or less after the accident, that he was examined by Dr. Matles and Dr. Winokur. Dr. Winokur, incidentally, found no objective signs of any injury at all. He said he had subjective complaints.

And Dr. Winokur suggested symptomatic treatment.

In 1973 Dr. Allen was retained by Mr. Heller,
the attorney for the plaintiff, to perform, not treatment,
but an examination apparently for the purpose of litigation.
Indeed Dr. Allen did testify. Dr. Allen's report is summarized in the report of Dr. Shapiro, which is in evidence,
and which you can look at.

Dr. Allen's report -- Dr. Allen reiterated a recommendation of the treatment and said that Mr. Picinich should have psycho-therapy or other medical treatment for the condition he found. Remember, that was an attorney -- a doctor rather, by the plaintiffs, hired by the plaintiffs attorney.

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In 1975, a Dr. Abt, a psychologist, was hired by the plaintiffs' attorney. Dr. Abt recommended that the plaintiff receive treatment.

Now, we have three doctors at least that we know about in '71, '73 and '75, two of them hired by the plaintiffs lawyers, and yet the plaintiff has never received any treatment for his psychological injuries.

I want to point out another psychologist's examination, a Dr. Brown, that my law firm, on a recommendation, asked to perform an examination. I have never met Dr. Brown but he performed an examination. Dr. Brown came up with a report which found conditions that no other doctor that ever examined Mr. Picinich ever found. As a matter of fact, that was conceded by Mr. Friedman. And what did Dr. Brown base his finding on? All Dr. Brown did -- he is not a medical doctor, by the way. He is a PhD. Dr. Kaplan told us, if you recall, he is not content to give a diagnosis as to causation or actual diagnosis. Dr. Brown administered certain tests. The Rorschach test, the ink blot test, what does that look like to you? Here is a picture of a man, a woman, what does it look like? Tell me a story about this picture. Mr. Picinich, always through an interpreter, of course, told stories that I submit to you so convinced Dr. Brown that he found conditions which have no possibility of

rdse 5

Picinich first acquired a lawyer?

I don't think there is any doubt that Mr. Picinich has a depression --

THE COURT: You are dropping your words and I can't hear you.

MR. LEONARD: I'm sorry, your Honor.

found he exhibits a depression. If we permit or if you permit exaggeration and argument to supply proof, then you can fall into this kind of a trap. Assume for a moment that a member of your family betrays the signs that Mr. Picinich's son-in-law described and that you, the son-in-law, are sophisticated enough to know a week or a month after the accident that a man needs a lawyer to process his claim; as human beings why didn't they have the man treated?

We know the other objective evidence, it is
there, the man has worked steadily since he went back to
work. The man was found with no organic signs of injury,
brain injury at all. But no neurological signs. That's
the record. He has been back to work. As a matter of fact
Mr. Langan got on the stand said he worked for me, he
responded to me in English. How much are we asked to forgive
these witnesses' inaccuracy because they don't speak
English? Is it really true they don't speak English. Is it

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existing at all in this witness, in this plaintiff.

As a matter of fact, Dr. Brown, on the basis of Mr. Picinich's performance, answers to his questions, gave testimony that Mr. Friedman was on the verge of conceding, but he backed away very fast, wasn't so at all. He said, let's give it to the jury and maybe they will make something out of it.

Now, I saw to you that from the beginning of this case you had Mr. Nick Picinich, the son-in-law of the plaintiff, squiring the plaintiff around, taking him to doctors, taking him to examinations before trial, helping him, preparing him. He testified from the stand as to the condition of the plaintiff and its on his testimony that you are asked to rely in supplying that essential link, the condition of the plaintiff before, the condition of the plaintiff after.

Mr. Picinich's wife very briefly told you in supporting testimony. Obviously Mrs. Picinich is an interested witness. Mr. Picinich is such and so is the son-in-law. That's obvious.

I say the thing that didn't happen was the greatest testimony in this case that would permit you to arrive at the truth in this case, because the question is, is it for real? Or did it start back in August 1971 when Mr.

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true he functioned as a longshoreman and a citizen in this country without speaking the language more than he does?

That's something for you to consider.

The point is that if we test reality, and that is a word I think you should be concerned with, is it reasonable for you to believe that a with these symptoms should not have treatment? It doesn't wash to suggest, as has been so carefully suggested to you, that this man is not English speaking, he is hostile, he reacts against treatment, he is afraid of psychologists. That doesn't wash. Why doesn't it wash? You will notice that Mr. Picinich has been to a dazzling succession of lawyers, doctors and has told them his history and is cooperative with their tests. Whenever it was necessary he has shown up.

On some occasions he came alone. He phoned br. Brown and asked where his office was? Mr. Picinich doesn't seem to have an aversion to medical people where they are connected with his lawsuit.

As amatter of fact Dr. Kaplan told me, insight therapy, the once relationship with a patient, that's not the only kind of treatment that would help this man for this depression. This group therapy, medication, anti-depressant medication, all these things.

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Now, I am not prepared to say now much or how little that would have helped, though the law says that a man has a duty to seek help to mitigate his damages.

The Judge will tell you what the law is in that respect.

What I am saying to you is test the veracity of the plaintiff's claims in the scale of what did not happen for this treatment?

I could say much more; I'm not going to. I am going to say this to you, though, on the liability aspects of this case. You have had four different versions of how this accident happened.

The first version, from Mr. Morich, Mr. Picinich, who were there. Mr. Picinich was in the middle of the accident and he could see it. What about Mr. Morich? Is he saying that he just made this up? He said the container moved in.

Version two. The language again version, the container swung because it was hit.

Version three, the log book entry, which was made the earliest in time, the man lost his balance and fell over.

Version four, container was struck and possibly knocked him over. That is in the stevedore's report.

By the way, the McGrath timekeeper that made that

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accident report doesn't say that he saw the accident. He is quoting unnamed longshoremen. I think if there is one thing in this case you have learned, that longshoremen — their allegiance to other longshoremen. You saw how Mr. Morich appeared out of nowhere. How Mr. Langan trotted over to Mr. Heller's office to accommodate another friend of his in a lawsuit.

Longshoremen travel all over the port and work for many firms, many stevedoring companies. They don't owe allegiance to their employer. And the fact that a longshoreman's version of an accident given after an accident which finds itself in a report, is simply no greater proof than if that longshoreman got on the stand and told you that testimony. In fact, he is not here even to be cross examined.

As I say, I am trying to abide by the time

limits. I think you understand that we have real factual

issues for you to wrestle with in the jury room. I trust

that if anything is suggested to you which does not accord

with your recollection, it is your recollection which governs

And in the jury room you will do each side the courtesy of

weighing in the scale the evidence as you have heard it and

as you remembered it.

Thank you very much.

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THE COURT: We will take a short recess and then we will hear from Mr. Friedmar.

(Recess.)

MANAGING ATTORNEYS OFFICE HAIGHT, GARDHFF, POOR & HAVENS

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